IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,

THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

TAKEN UP WRIT PETITION NO : 23618 of 2004

Between:

P. Narayana, President, Labour Liberation Front, (Regd.No.4483),
A Movement for bonded Labourers and Human Rights, H.No. 7-5-12,
Venkateshwara Colony,
Mahabubnagar - 509 002, Andhra Pradesh.

..... PETITIONER

AND

1 The Collector and District Magistrate, Authority Under
Bonded Labour System [Abolition] Act, 1976 and
Child Labour [Regulation and Abolition] Act, 1986,
Prakasam District at Ongole.
2 The Secretary to the Government, Women's
Development and Child Welfare Department,
Secretariat, Hyderabad.

3 The Secretary to the Government of A.P., Industries and Commerce Department, Secretariat,
Hyderabad.
4 The Secretary to the Government of A.P., Labour, Employment and Training Department, Secretariat,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Fax Message dated 12.12.2004 sent by the petitioner herein, the High Court will be pleased to issue an order, direction, or a writ, more particularly one in the nature of writ of Mandamus to call for the records and remarks from the Respondents herein relating to "Philips Company" a crabs processing unit situated near Manduvaripalem Village, Ongole Rural Mandal, Prakasam District, engaging 300 women child labourers of the age from 12 to 14 years, belonging to Permamitta, Throvagunta, Mukthinuthalapadu, Lingamgunta, Narasaipalem, Vengalguntapalem, Kothapalli, Ambedkarnagar and other villages forcing them to work for 12 hours per day from 8.00 A.M. to 8.00 P.M. for a remuneration of only Rs.40/- per day, without providing them any safety measures and thereby causing them injuries and even death due to poisoning and to pass appropriate orders directing the concerned authorities to take appropriate action in the interest of poor child labourers.

Counsel for the Petitioner : FAX MESSAGE

Counsel for the Respondents : GP FOR LABOUR

The Court made the following :

ORAL ORDER:

(per Hon'ble The Chief Justice)

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1 . A complaint was received from Sri P. Narayana, President, Labour Liberation Front, Mahabubnagar, alleging violation of the Labour Laws by some of the food processing units situated near Manduvaripalem village, Ongole Rural Mandal, Prakasam District. On receipt of the complaint, we registered it as a taken up petition and called upon the respondents to submit a report on the allegations made in the complaint after inspecting the various food processing units. Report thus reveals that violations are committed by M/s Shanmugum Food Processing Unit and the Contractor. It is stated that on coming to know of the violation of the Labour Laws, appropriate steps have been taken against the management for violation of the provisions of Minimum Wages Act and steps have also been taken for recovery of the minimum rates of wages.

2. In view of the report of Smt. I. Rani Kumudini, Commissioner of Labour, no further direction deserves to be issued in this writ petition except by directing the Commissioner of Labour to ensure that appropriate instructions are issued to the concerned officers who are deployed in the area in question that whenever there is violation of any of the provisions of Labour Laws, appropriate steps should be taken forthwith against the persons violating the provisions and remedial steps will also be taken well in time. Action process which has been initiated against M/s Shanmugum Food Processing Unit and M/s Philips Foods India (P) Limited shall be continued till conclusion in accordance with law.

3. In the result, writ petition is disposed. No costs.

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DEVINDER GUPTA. C.J.,

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M. NARAYANA REDDY. J.,

Dated: 31.01.2005.

VRK.

To

1 The Collector and District Magistrate, Authority Under
Bonded Labour System [Abolition] Act, 1976 and
Child Labour [Regulation and Abolition] Act, 1986,

Prakasam District at Ongole.

2. The Commissioner of Labour, Govt. of A.P., Hyderabad.
3 The Secretary to the Government, Women's Development and Child Welfare Department, Hyderabad.
4 The Secretary to the Government of A.P., Industries and Commerce Department, Hyderabad.
5 The Secretary to the Government of A.P., Labour, Employment and Training Department, Hyderabad.

6. The Officer concerned, Public Interest Litigation Cell, High Court Buildings, Hyderabad.

7. Two CCs to G.P. for Labour, High Court Buildings, Hyderabad (OUT).

8. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE M. NARAYANA REDDY.

W.P.NO. 23618 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 31.01.2005.